



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.5129 of 2017

KUMAR, ... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI CITY.
(CRIME NO.75/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent : M/S.S.PRABHA, Government Advocate(Criminal Side),

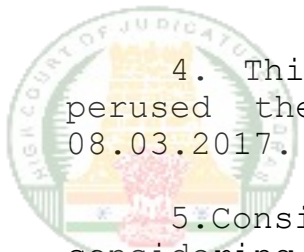
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, in Crime No.75 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 of IPC and Section 4 of TNPWH Act and hence, seeks anticipatory bail.

2. The learned counsel for the petitioners submitted that considering the facts and circumstances of the case, this Court had already granted anticipatory bail to the petitioners in Crl.O.P(MD) No.2502 of 2017, vide order dated 08.03.2017 on condition that the petitioners shall execute sureties within a period of fifteen days from the date on which the order copy made ready, failing which the petition for anticipatory bail stands dismissed. But the petitioners could not execute the sureties within the time prescribed by this Court. Hence, the petitioners have come forward with this petition for anticipatory bail. He further submitted that, when the matter came up for hearing on 26.04.2017, this Court directed the petitioners to pay a sum of Rs.500/- in the account opened in the name of the Registrar (Administration), (for removal of Prosopis Juli Flora (Karuvelam Trees), Savings Bank Account No.6514082295, Indian Bank, Madurai Bench of Madras High Court, Madurai on or before 28.04.2017. He further submitted that the petitioners had complied with the said direction and cost memo has also been filed to that effect.

3. The learned Government Advocate(Crl. Side) affirms the above said fact.



4. This Court heard the submissions made on either side and perused the order passed in Crl.O.P(MD)No.2502 of 2017, dated 08.03.2017.

5.Considering the facts and circumstances of the case and also considering the fact that this Court had already granted anticipatory bail to the petitioners in Crl.O.P(MD)No.2502 of 2017, dated 08.03.2017.,this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.IV, Tirunelveli and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.\

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
28/04/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE IV
TIRUNELVELI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI CITY.

4 ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.21614

ORDER
IN
CRL OP(MD) No.5129 of 2017
Date :28/04/2017